

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re: THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i> Debtors. ¹	PROMESA Title III Case No. 17 BK 3283-LTS (Jointly Administered)
In re: THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO as representative of PUERTO RICO ELECTRIC POWER AUTHORITY, Debtor.	PROMESA Title III Case No. 17 BK 4780-LTS

REVISED ORDER EXTENDING AND ESTABLISHING CERTAIN DEADLINES
APPLICABLE TO THE JOINT MOTION OF PREPA AND AAFAF PURSUANT TO
BANKRUPTCY CODE SECTIONS 362, 502, 922, AND 928, AND BANKRUPTCY
RULES 3012(A)(1) AND 9019 FOR ORDER APPROVING SETTLEMENTS
EMBODIED IN THE RESTRUCTURING SUPPORT AGREEMENT [ECF NO. 1235]

Upon consideration of the *Supplemental Joint Status Report* (Docket Entry No. 1361 in Case No. 17-4780) filed June 18, 2019 and the Court having found and determined that (i) the Court has jurisdiction over this proceeding pursuant to 28 U.S.C. § 1331 and 48 U.S.C.

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations.)

§ 2166(a); (ii) venue of this proceeding is proper under 28 U.S.C. § 1391(b) and 48 U.S.C.

§ 2167(a); (iii) no party has objected to the proposed schedule set forth in the Supplemental Joint Status Report; and (iv) the Court having found good cause to enter the modification to the schedule as set forth herein, it is

HEREBY ORDERED THAT the following schedule shall apply to any person or entity (i) that seeks discovery, (ii) from whom discovery is sought (whether by notice or subpoena), (iii) that objects to the 9019 Motion or to any discovery with respect thereto, or (iv) is a signatory to the RSA:²

June 28, 2019	Deadline to complete production of previously-agreed upon documents.
July 2, 2019	Government Parties to file supplemental legal brief and declarations in support of 9019 Motion.
July 5, 2019	Deadline for parties to serve amended preliminary witness lists, expert witness disclosures, deposition notices, and supplemental document requests. ³
July 8, 2019	Meet & confer regarding scope of discovery and evidence at 9019 Motion hearing.
July 9, 2019	Parties to submit second supplemental joint status report.
July 10, 2019	Deadline for responses and objections to supplemental document requests.

² Capitalized terms not defined herein shall have the same meaning as set forth in the original scheduling order related to the 9019 Motion (“Original Scheduling Order”) [ECF No. 1253]. Provisions 2(a) through (f) in the Original Scheduling Order with respect to discovery proceedings and the conduct of the hearing shall continue to apply. All parties in interest reserve all rights to seek relief from this schedule from the Court and to oppose any applications seeking such relief.

³ To the extent a party (other than a Government Party) believes new or additional expert testimony is required based upon new information disclosed in the Government Parties’ supplemental filings, such party shall have until July 15, 2019 to make its expert witness disclosure. Any supplemental document requests shall be related to any new information asserted in the July 2 supplemental filing and shall not be repetitive of prior discovery requests.

July 11, 2019 (New York)	Renewed pretrial conference.
July 12, 2019	Deadline for parties to renew earlier Discovery Motions and/or file additional Discovery Motions and motions to quash. ⁴
July 15, 2019	Commencement of fact depositions. ⁵
July 17, 2019	Oppositions to Discovery Motions and motions to quash due.
July 19, 2019	Replies to Discovery Motions and motions to quash due.
July 30, 2019 (Boston)	Hearing on Discovery Motions and motions to quash.
August 2, 2019	Deadline for completion of fact discovery, including depositions (except as set forth otherwise herein). ⁶
August 5, 2019	Service of expert reports.
August 7, 2019	Deadline for Objectors to file objections, including any declarations in support of objections. ⁷
August 8, 2019	Commencement of expert depositions.

⁴ Subject to paragraph 2(c) of the Original Scheduling Order, the parties shall not file any “additional” Discovery Motions except to the extent they are limited to Supplemental Document Requests.

⁵ Any depositions noticed for a prior date are hereby removed from the calendar.

⁶ To the extent documents responsive to discovery requests issued May 22 are produced after June 28, including as a result of Discovery Motions, the parties will meet and confer regarding the effect of such productions on this schedule, including the deadline for completion of depositions, and all parties reserve their rights to (i) seek relief from the schedule based on such productions and/or seek additional depositions of witnesses who have already been deposed; and (ii) oppose any such request(s) for relief.

⁷ To the extent new declarations are filed on August 7 by witnesses who have not been deposed, the opposing parties shall have the right to take a deposition of the declarant within 7 days without waiver of any motions to exclude testimony by the declarant.

August 22, 2019	Disclosure of rebuttal experts and service of rebuttal expert reports.
August 22, 2019	Deadline for Moving Parties, Objectors and Supporters to serve and disclose the declarations they plan to introduce as their respective principal cases (whether or not those declarations were previously served and disclosed), and to identify trial exhibits and any live testimony expected to be presented through third-party witnesses not under the participants' control. ⁸
August 28, 2019	Deadline for Moving Parties to file reply briefs and Supporters to file supporting statements.
August 28, 2019	Deadline for completion of expert depositions.
August 30, 2019	Deadline for filing deposition designations.
September 4, 2019	Deadline for counter-designations, objections to declarations and exhibits, and designation of witnesses for cross-examination. The parties must promptly meet and confer in an effort to resolve any objections to declarations, witnesses, and exhibits. The parties must file a joint status report as to any remaining objections by September 6, 2019.
September 4, 2019 at 11:00 a.m.	Deadline for filing motions in limine. Parties may seek relief from this deadline upon a showing of cause. The Court retains discretion as to whether to entertain late-filed motions in limine.
September 6, 2019 at 11:00 a.m.	Deadline for responses to timely motions in limine.
September 6, 2019 at 11:00 p.m.	Deadline for replies in support of timely motions in limine.
September 6, 2019	Deadline for filing compilations of listed declarations and exhibits.

⁸ To the extent new declarations are served by August 22 from witnesses who have not been deposed or have not previously submitted declarations, the opposing parties shall have the right to take a deposition of the declarant within 7 days without waiver of any motions to exclude testimony by the declarant.

September 9, 2019	Deadline to deliver hard copy compilations of declarations and exhibits to the District of Puerto Rico courthouse for Judge Swain and USB drive or DVD containing properly marked and identified exhibits and an exhibit list for the Clerk's Office. ⁹
September 11, 2019 (San Juan, Puerto Rico)	Hearing on the 9019 Motion at 9:30 a.m. (Atlantic Standard Time)

SO ORDERED.

Dated: June 20, 2019

/s/ Laura Taylor Swain
HONORABLE LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE

⁹ See [https://www.prd.uscourts.gov/promesa/sites/promesa/files/documents/23/Jury Evidence Recording System PROMESA VS MJB MO.pdf](https://www.prd.uscourts.gov/promesa/sites/promesa/files/documents/23/Jury%20Evidence%20Recording%20System%20PROMESA%20VS%20MJB%20MO.pdf)